

without legal effect; providing that in the event of a certain conflict, federal law, State law, or a certain written program guidance preempts a certain ordinance, resolution, or regulation; and generally relating to the authority of the County Council of Dorchester County to ~~protect a person's right~~ authorize a person to engage in certain activities related to the seafood industry and to harvest seafood.

BY adding to

Article 25 – County Commissioners

Section 232

Annotated Code of Maryland

(2001 Replacement Volume and 2003 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article 25 – County Commissioners**

232.

(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE COUNTY COUNCIL OF DORCHESTER COUNTY MAY ADOPT AN ORDINANCE, RESOLUTION, OR REGULATION OR TAKE ANY OTHER ACTION THAT THE COUNTY COUNCIL CONSIDERS NECESSARY TO ~~PROTECT A PERSON'S RIGHT~~ AUTHORIZE A PERSON TO:

(1) USE THE PERSON'S PERSONAL PROPERTY OR REAL ESTATE TO OPERATE A SEAFOOD BUSINESS;

(2) BUY OR SELL SEAFOOD;

(3) STORE EQUIPMENT USED IN THE PERSON'S SEAFOOD BUSINESS;

(4) ENJOY THE QUIET CONDUCT OF THE PERSON'S SEAFOOD BUSINESS IN CONFORMANCE WITH COUNTY AND STATE REQUIREMENTS; AND

(5) HARVEST SEAFOOD.

(B) (1) BEFORE ADOPTING AN ORDINANCE, RESOLUTION, OR REGULATION UNDER SUBSECTION (A) OF THIS SECTION, THE COUNTY COUNCIL SHALL:

(I) HOLD A PUBLIC HEARING AND PROVIDE REASONABLE NOTICE OF THE HEARING; AND

(II) OBTAIN THE WRITTEN CONSENT OF THE SECRETARY OF NATURAL RESOURCES.

(2) AN ORDINANCE, RESOLUTION, OR REGULATION ADOPTED WITHOUT THE WRITTEN CONSENT OF THE SECRETARY OF NATURAL RESOURCES IS VOID AND WITHOUT LEGAL EFFECT.

(C) IN THE EVENT OF A CONFLICT, FEDERAL LAW, STATE LAW, OR WRITTEN PROGRAM GUIDANCE ISSUED BY A FEDERAL OR STATE AGENCY SHALL PREEMPT